



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

FEB 15 2005

DOT-E 13187
(THIRD REVISION)

EXPIRATION DATE: December 31, 2006

1. GRANTEE: Fluke Biomedical, LLC
(FORMER GRANTEE: Radiation Management Services,
Cardinal Health)
Cleveland, OH
2. PURPOSE AND LIMITATIONS:
 - a. This exemption authorizes the manufacture, marking, sale and use of non-DOT specification packaging described as a radiation detection survey meter containing a plastic ionization chamber for the transportation in commerce of certain Division 2.2 materials authorized by this exemption. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.301(c) in that the marking requirements are waived, 172.400 in that labeling is not required except when transported by aircraft, 172.504 in that placarding is not required and §§ 173.302a(a), 173.306(a)(2) and 175.3 in that the plastic ionization chamber is not an authorized packaging, except as specified herein.
5. BASIS: This exemption is based on the application of Fluke Biomedical, LLC dated January 24, 2005 submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):**FEB 15 2005**

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s. (contains nitrogen and argon)	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification radiation detection survey meter (instrument) containing a plastic ionization chamber (pressure vessel). The ionization chamber has a maximum base diameter of 3.215 inches, maximum volume of 320 cubic inches water capacity, and design (operating) pressure of 120 psig. The design of the instrument must conform to Syncor Radiation Management documents submitted with the application, and on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA).

b. OPERATIONAL CONTROLS -

(1) Pressure vessels manufactured under this exemption are not authorized for use seven (7) years after the date of manufacture.

(2) Each instrument must be packed in a strong outside packaging as prescribed in § 173.301(k).

(3) Each outside packaging must be marked "INSIDE CONTAINERS CONFORM WITH DOT-E 13187".

(4) Emergency response information provided with the shipment, and available via an emergency response telephone number, must indicate that instruments are not fitted with pressure relief devices and provide appropriate guidance for exposure to fire.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it

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for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this exemption and the HMR.

c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.

f. Except when offered for transportation by air:

(1) Packages covered by this exemption are excepted from labeling requirements of Subpart E of 49 CFR Part 172.

(2) Shipments are not subject to the placarding requirements of Subpart F of 49 CFR Part 172.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only and passenger-carrying aircraft.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

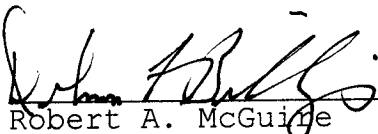
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: : Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire

Associate Administrator for
Hazardous Materials Safety

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DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of the exemption are permitted. Any alteration of this exemption is prohibited.

PO: SS/AM